DETAILED ACTION

Response to Amendment

Responsive to Amendment filed June 22, 2009. Claims 2, 6, 11, 15, 21, 25, 30, 32-34, 37-43,

45-46, 54-56, and 59 have been amended. Claims 47, 49, 50, 52, 53, and 60 were canceled.

Claims 2, 5-9, 11, 13-16, 18-19, 21, 24-28, 30, 32-34, 37-43, 45-46, and 54-59 remain pending.

Response to Arguments

1.   Applicant's arguments have been fully considered but they are not persuasive.

- In the remarks, the Applicant argues with substance:

   Argument: *Mears contact center system does not allow for independent implementation*

   of a channel driver by a vendor of a communication channel and does not allow for the

   coupling of a channel driver to a communication server.

   In response to applicant's argument that the references fail to show certain features of

applicant's invention, it is noted that the features upon which applicant relies (i.e., *independent*

implementation of a channel driver by a vendor of a communication channel and coupling of a

channel driver to a communication server.) are not recited in the rejected claim(s). Although the

claims are interpreted in light of the specification, limitations from the specification are not read

into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

   Mears teaches a contact center system employing a plurality of agent workstations and

includes a queuing component capable of receiving contacts of different media types, such as

telephone calls, email, facsimiles, web chat, voice over internet protocol, and so on **(see at**

least abstract). The system includes a contact center server that includes a routing manager

among other components. When the contact center server receives a communication request

from one of the plurality of media types, it recognizes the requests and it requests creation of a

contact object with routing manager. The routing manager, which is part of the contact center

server, adds the contact object to the queue **(see at least figs 59-64).** The queue is a common

queue independent of media type that allows different media type contacts to be queued. The

system then routes the queued contact to the appropriate available agent based on availability

and media type **(see at least fig 50, column 41, lines 45-67).** The system inherently uses

appropriate drivers to communicate via the different media types **(see at least column 10, lines

14-22).** The contact center server communicating via a common queue that is independent of

media types and routes the contact to the appropriate agent based on the media type meets the

scope of the claimed limitations.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 2, 5-9, 11, 13-16, 18-19, 21, 24-28, 30, 32-34, 37-43, 45-46, and 54-59 are

rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written

description requirement. The claim(s) contains subject matter which was not described

in the specification in such a way as to reasonably convey to one skilled in the relevant

art that the inventor(s), at the time the application was filed, had possession of the

claimed invention. The limitations "*said communicating is agnostic of a media type of*

said communication channel" and "*said corresponding channel driver is implemented*

apart from said configurable communication server" appear to be new matter. No

support was found in the Applicant's disclosure.

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

Claims 2, 5-9, 11, 13-16, 18-19, 21, 24-28, 30, 32-34, 37-43, 45-46, and 54-59 are

rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to

particularly point out and distinctly claim the subject matter which applicant regards as

the invention. It is unclear what is meant by the limitation "agnostic of a media type".

The addition of this limitation has rendered the claims vague and indefinite.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a
> whole would have been obvious at the time the invention was made to a person having
> ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5.   Claims 2, 5-9, 11, 13-16, 18-19, 21, 24-28, 30, 32-34, 37-43, 45-46, and 54-59 are

rejected under 35 U.S.C. 103(a) as being unpatentable over Mears et al (US Patent No.

7,092,509) in view of "Official Notice".

6.   As per claim 2, Mears et al teach an apparatus for communicating using a

communication channel of one or more media-specific communication channels comprising:

        a configurable communication server comprising memory storing instructions executable

by a processor of the communication server, the instructions configured to communicate with

said communication channel of said one or more media specific_communication channels via a

corresponding channel driver of one or more channel drivers said communication channel is

coupled to said configurable communication server via said corresponding channel driver said

communicating is agnostic of a media type of said communication channel, said communication

channel is associated with one or more vendors **(see at least column 10, lines 14-22;**

software for each media type) allow the communication server to communicate via said

communication channel independently of a media type of and vendor-dependent

communication protocols for said communication channel, said corresponding channel driver is

implemented apart from said configurable communication server and coupled to said

configurable communication server **(see at least column 41, lines 45-55, column 1, lines 20-**

30, column 3, lines 19-40, column 10, lines 14-19);

        access information regarding a type of communication that uses the communication

channel determine a command to issue to the communication channel to cause an outgoing

communication to be sent if the type of communication is outgoing; and determine an event

response to perform in response to an event if the type of communication is incoming wherein

the information is accessed from a memory storing data corresponding to a configuration of the

communication channel **(see at least column 10, lines 24-column 11, lines 5)** and

a web browser-based media-independent user interface comprising a first user interface

object configured to provide a notification of the event received from the communication channel

and wherein the user interface displays a single web browser-based toolbar providing a visual

depiction of all options available to a user to participate in said outgoing and incoming

communications **(see at least column 38, lines 28-40, column 39, lines 18-67)**.

Mears et al fail to *explicitly* teach that the media-specific communication channels are

of one or more vendors and *wherein each vendor of a communication channel provides a*

channel driver implementation for a corresponding channel driver associated with said

communication channel and wherein each said channel driver implementation is configured

according to a common communication application program interface. However, "Official Notice"

is taken that the concept of these features are well known in the art as evidenced by Sadovsky

et al (US 7,047,534, see at least abstract, column 1, line 65-column 2, line 25, column 6, line 4-

column 7, line 15) and Furner et al (US 5,974,474, see at least column 1, lines 50-60). It would

have been obvious to one of ordinary skill in the art to include this feature in Mears et al

because doing so would allow Mears et al's system to use vendor specific communication

channels by using drivers provided by vendors of those communication channels.

7.   As per claim 5, Mears et al teach an apparatus comprising:

a database comprising an event record, wherein the event record comprises the

information regarding the event **(see at least column 2, lines 9-21, column 10, line 25-**

column 11, line 5).

8.   As per claim 6, Mears et al teach an apparatus wherein the configurable communication

server is configured by performing one of adding the event record to the database, modifying

the event record in the database, and deleting the event record from the database **(see at least**

column 2, lines 9-21, column 10, line 25-column 11, line 5).

9.   As per claim 7, Mears et al teach an apparatus comprising: at least one event handler

and wherein the event record comprises a name of one event handler of the at least one event

handler for handling the event and the configurable communication server uses the one event

handler named in the event record for handling the event **(see at least column 49, lines 4-13,**

column 56, lines 45-50).

10.   As per claim 8, Mears et al teach an apparatus wherein the database further comprises

an event response record associated with the event record; and the configurable

communication server is further configured to determining the event response by accessing the

event response record associated with the event record **(see at least column 49,lines 4-13,**

column 56, lines 45-50).

11.   As per claim 9, Mears et al teach an apparatus wherein the information regarding the

event further comprises information regarding the event response; and the configurable

communication server is further configured to perform the event response **(see at least column**

3, lines 10-40, column 49,lines 4-13, column 56, lines 45-50)

12.   As per claim 11, Mears et al teach an apparatus wherein the configurable

communication server is coupled to the channel driver such that the configurable

communication server receives the event from the communication channel via the channel **(see at least column 3, lines 20-40, column 41, lines 45-62, fig 50).**

13.   As per claim 13, Mears et al teach an apparatus comprising: a user interface comprising a user interface object capable of being activated, wherein the configurable communication server is configured to send the outgoing communication to the communication channel when the user interface object is activated **(see at least column 39, lines 53-67, column 9, lines 55-67).**

14.   As per claim 14, Mears et al teach an apparatus wherein: the configurable communication server is configured to send the outgoing communication by issuing the command to the communication channel **(see at least column 9, lines 55-67, column 10, line 25-column 11, line 5).**

15.   As per claims 15-16, 18-19, 21, 24-28, 30, 32-34, 37-43, 45-46, 48, these claims contain similar limitations as claims 2, 5-9, 11, 13-14 above, therefore are rejected under the same rationale.

16.   As per claim 54, Mears et al teach memory storing data corresponding to the configuration of the communication channel is a database **(see at least column 2, lines 9-21, column 10, line 25-column 11, line 5).**

17.   As per claim 55, Mears et al teach wherein the database comprises one or more of: information regarding a channel driver associated with the communication channel; a media

type associated with the communication channel, a media string used by the configuration

server at run time to invoke a media service for the channel driver; one or more channel

parameters and a default value for each of the one or more channel driver parameters **(see at

least column 2, lines 9-21, column 10, line 25-column 11, line 5)..**

18.   As per claims 56-60, Mears et al teach wherein said media-specific communication

channel relates to *one of the* following media types: telephone; e-mail; fax; web collaboration;

the Interact call-me-now; the Internet call-me-later; web chat; wireless access protocol; paging;

and a short messaging service **(see at least column 41, lines 45-55).**

Conclusion

Examiner's Note: The Examiner has cited specific citations in the reference(s) as

applied to the claim(s) above for the convenience of the Applicant. Although the specified

citations are representative of the teachings in the art and are applied to the specific limitations

within the individual claim, other passages and figures may apply as well. It is respectfully

requested that the Applicant, in preparing their response, fully consider the references in

entirety as potentially teaching all or part of the claimed invention, as well as the context of the

passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner

can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ryan Zeender can be reached on (571) 272-6790. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramsey Refai
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/Ramsey Refai/
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